

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**STEPHEN MONTALTO**

**PLAINTIFF**

**vs.**

**CIVIL ACTION No.: 3:20-CV-822-HTW-LGI**

**ASWANDRA BONNER**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

BEFORE THIS COURT is the Report and Recommendation of United States Magistrate Judge LaKeysha Greer Isaac [**Docket no. 114**]. In her Report and Recommendation, filed on January 31, 2024, Magistrate Judge Isaac recommended that this court grant summary Defendant Aswandra Bonner's Motion for Summary Judgment [Docket no. 111]. Magistrate Judge Isaac directed the parties to file any objections to her recommendation within fourteen (14) days.

Several months later, on March 15, 2024, Plaintiff Stephen Montalto filed his "*Motion for an Extension of Time and/or Request for Reconsideration to Reverse the Dismissal of his case due to Overwhelming Constitutional Violations which warrant a Jury Trial or Relief which meets his Previous Requests*" [Docket no. 115]. This court retroactively grants Plaintiff's request for an extension of time. The court has reviewed thoroughly the Plaintiff's objections to the Magistrate Judge's Report and Recommendation. This court is not persuaded.

Based upon the findings and recommendation contained in the Report and Recommendation [**Docket no. 114**], this court finds it well-taken. Magistrate Judge Isaac carefully considered the submissions of the parties, the record, and relevant law, and crafted a well-versed Report and Recommendation. Therefore, this court hereby ADOPTS the Report and Recommendation of the Magistrate Judge as the order of this court.

IT IS THEREFORE ORDERED THAT the Defendant Aswandra Bonner's Motion for Summary Judgment [Docket no. 111] hereby is granted<sup>1</sup>. Accordingly, this matter hereby is **DISMISSED WITH PREJUDICE**.

**SO ORDERED this the 18th day of April, 2024.**

/s/HENRY T. WINGATE

**UNITED STATES DISTRICT COURT JUDGE**

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<sup>1</sup> Plaintiff's lawsuit featured thirteen defendants. On February 27, 2023, the Court adopted the Magistrate Judge's Report and Recommendations [85] to dismiss twelve of the thirteen defendants based on Plaintiff's failure to exhaust his available administrative remedies before suing over his claims. *See* Order Adopting Report and Recommendations [95], granting in part and denying in part the MDOC Defendants' Motion for Summary Judgment and granting in toto the Medical Defendants' Motion to Dismiss. Defendant Bonner, the last remaining defendant has now been dismissed from this case. Further, this court notes that although Magistrate Isaac refers to "Office Grace or Gracie" as one of the defendants, she only refers to "Officer Grace" in her Report; this court, therefore, clarifies that "Gracie" and "Officer Grace" are the same person.